

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION
(St. Louis)**

IN RE:)	
)	
TROY D. HARPER and TABITHA A.	)	Case No. 10-51958-659
HARPER)	
)	
Debtors,	)	Chapter 13
)	
Deutsche Bank National Trust Company, as)	
Trustee for Ameriquest Mortgage)	
Securities Inc., Asset-Backed Pass-Through)	
Certificates, Series 2004-R10)	
)	
Movant,	)	Motion for Relief
	)	from the Automatic Stay
)	
v.	)	Hearing Date: January 10, 2011
	)	Hearing Time: 10:00 a.m.
	)	#17
TROY D. HARPER, TABITHA A. HARPER)	
and JOHN V. LABARGE JR.)	
	)	John F. Michaels MO 25205
	)	EDMO 5269964
Respondents.	)	P.O. Box 7507
	)	Overland Park, KS 66207
)	

ORDER GRANTING RELIEF FROM AUTOMATIC STAY

The Motion for Relief From Automatic Stay Pursuant to Rule 4001(a)(3), filed herein by Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R10 ("Movant") duly came on for consideration. Notice of hearing was properly given, no timely objections were filed, and no hearing was held on the matter. For good cause shown the Court finds and it is

HEREBY ORDERED, ADJUDGED AND DECREED that Movant is hereby granted relief from the automatic stay pursuant to 11 U.S.C. § 362 which is hereby terminated with respect to the following Property and Debtors' rights and interest therein:

All of Lot Nine (9) of Rolling Acres Subdivision 2, being located in Section 31, Township 42 North, Range 5 East, as shown by plat on file in the Recorder's Office of Jefferson County, Missouri, in Plat Book 12 Page 29. Subject to building lines, covenants, easements and restrictions of record, if any.

("Property")

Said Property is commonly known as 4755 Rainbow Drive, Barnhart, MO 63012.

FURTHER ORDERED that Movant is authorized to send to Debtors any notices of intended disposition.

FURTHER ORDERED that Movant may proceed to foreclose on its security interest in the Property, obtain possession thereof in accordance with applicable law and may recover its reasonable attorney's fees of \$550.00 plus the filing fee of \$150.00 from the proceeds of such sale.

The Chapter 13 Trustee is directed to discontinue payment on all claims secured by the Property against which relief from the automatic stay is granted in this Order. The Trustee is directed to resume payment on such claims on notification pursuant to L.B.R. 3021-1A.


KATHY A. SURRETT-STATES
U.S. Bankruptcy Judge

DATED: January 6, 2011
St. Louis, Missouri
JJH

Copy mailed to:

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